SPEECH OF HON. B. F. HALLETT, OF MASS.,

IN WASHINGTON CITY, JUNE 25, 1860.

MINORITY REPORT OF MR. STEVENS, OF OREGON,

AGAINST THE EXCLUSION OF THE REGULAR SOUTHERN DELEGATES AT THE BALTIMORE CONVENTION.

MR. LEACH'S PROTEST.

MR. HALLETT'S SPEECH:

THE CINCINNATI PLATFORM CONSTRUED BY ITS AUTHOR.

FELLOW-CITIZENS: My voice is from the North. I propose to say some plain words for that portion of the North who in this unhappy, I trust temporary, division of the Democratic party, have felt it their duty, calmly and without reproach to others, but firmly, to take the side of Nationality, of the Constitution and the Union, under the just interpretation of that Constitution for the equal rights of all the States in all the Territories. We are here, not for secession, but for the Union. We have looked through the history of parties in our common country, and we find that the empire of Democracy, under which these States have grown from thirteen to thirty-three popular sovereignties, and have unitedly become second to no power of the earth, has been sustained only by the union of the northern and southern Democracy. We find that this united Southern and Northern Democracy has achieved every acquisition of territory, maintained successfully every war, and accomplished every measure of great national policy that has marked the progress of this people in the grand march of popular empire; and we have also found that this Union is in danger only when the opponents of the Democratic party have been permitted briefly to hold power by the temporary division of the Northern and Southern Democracy. And therefore it is that the North is here with the South in this movement which is to decide the question to whom that national flag belongs, which is broad enough to cover with its ample folds this whole Union.

We have just come up from the divided councils of the Democratic party at Baltimore. For the first time since 1828 we have failed to unite upon men and measures.

But I have no purpose and no desire to censure or condemn. I mean to utter no words of reproach or bitterness in this canvass. Opposed as we are now, let all Democrats treat each other not as vindictive enemies, but as hoping again to be friends. I take the fact just as it is—a divided Democratic party, and not the less divided no matter who or what is to blame for it; and out of this division the country must calmly select the materials for a reconstruction of the Democratic party on a sure foundation of the Union, a just interpretation of the Constitution, and an entire abnegation of all sectionalism and all negroism. We think it will be found in this national nomination of Breckinridge and Lane, whose names and antecedents and localities are the highest pledges of devotion to the Union, and I trust it will yet be found in the reunion of the Democracy before the election.

And now permit me to point out to you the line of division which clearly marks the two positions of the Democratic party touching the platform. I believe in platforms as essential to the very existence of political faith. The Democratic party has always relied on platforms since the resolutions of '98, and it has never before refused to explain its platforms when subject to a double construction. Is not that the present condition of the Cincinnati platform, which both Conventions have adopted entire? In that connection, I may say here to night that I made all of the Cincinnati platform which bears on this question, and therefore I think I understand it, and have some little right to expound it. And I affirm of that platform that it has not, nowhere in it or under it, by line, or sentence, or word, or construction, or possible conception, one particle of "squatter sovereignty."

"Squatter sovereignty," if it have any meaning, means that the legislature of a newly-organized Territory, at its first session, can prohibit and destroy the right of the citizens

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"Squatter sovereignty," if it have any meaning, means that the legislature of a newly-organized Territory, at its first session, can prohibit and destroy the right of the citizens

of all the States to come into that Territory or live in that Territory with their slave property. But the Cincinnati platform denies that power in the most explicit terms. Commencing with the severance of eight of the Democratic electoral States from the Convention at Charleston, the division has been consummated at Baltimore by the seventeen Democratic electoral States, with five other States in whole or in part, forming what their delegates believed to be a National Democratic Convention, and making the only nominations that can secure the votes of those seventeen reliable States, without which the Democratic party cannot even hope for success. The other Convention has been left without a single entire State remaining in it having an assured, if, indeed, a hopeful, Democratic electoral vote—reduced to less than two-thirds of the electoral colleges, even with all their admitted substitutes without constituencies, and compelled to make their nomination only by the entire abandonment of the common law of Democratic conventions, which never before went into a presidential contest without a two-thirds vote for their nominees. In fact, therefore, there is no nomination binding on Democrats according to the uniform usages of the party.

This disruption, so momentous, so painful to every lover of his country, must be for some cause. And what is that cause? A division, in part, on platform, but more especially a division on candidates, and a forced and unjust reorganization of the Convention to exclude legitimate and admit unauthorized delegates without Democratic constituencies, in order to change the majority.

In the preamble of the Cincinnati platform "the Democracy place their trust in the *discriminating justice* of the American people." The North, in the Convention at Charleston and at Baltimore, persistently denied to the South this "discriminating justice," by refusing to make that explanation of its misinterpreted platform, wherein the South has a plain right to know what the North means touching the equal rights of the South in the common territory.

That has been the dividing difficulty on the platform; and as to the candidate, the forced numerical majority in that Convention insisted upon having one man and no other, while all the rest were ready to unite on any other terms. After announcing "NON-INTERFERENCE" by Congress as the rule, it fixes the precise time when alone, and not before, the PEOPLE of a Territory can intervene and act upon slavery; and that is, when forming a constitution for a State. It sums up the whole power of the Territories over slavery thus:

"*Resolved*, That we recognize the right of the PEOPLE of the Territories, (not the legislature,) whenever the number of their inhabitants justifies it, to form a constitution, with or without slavery, and be admitted into the Union upon terms of perfect equality with the other States."

Thus it is defined that the right of the people of a Territory to settle the status of slavery begins only when they begin to form a constitution, and not before. That is the Cincinnati platform, clear and palpable, and in nowise liable justly to a double-faced construction. And it fixes this sovereign power of destroying or impairing property, at the time of making a constitution, for a very sound reason. It is this: A territorial legislature can raise no revenues from the people, but is itself merely the paid agent and servant of the General Government, and therefore can have no power to take property from citizens, because it has no power to compensate them for taking away their property. When it becomes a State it has that sovereign power, and may justly exercise it, because it will provide, as in all State constitutions, that private property shall not be taken away without adequate compensation.

But, plain as the Cincinnati platform is, it has been subjected to misinterpretation, and squatter sovereignty, instead of *popular sovereignty*, has been attempted to be interpolated in it. This was one common-sense reason why it should be fairly explained. Moreover, when the Cincinnati platform was made, there was a judicial question not decided as to the precise time when the people of a Territory should determine the slavery question for themselves under the Constitution. Now the Supreme Court, since the adoption of the Cincinnati platform, has decided that the power does not begin till the constitution begins. Hence the single question for the convention at Charleston was, whether they would make an explicit declaration on this point explanatory of the true intent and meaning, North and South, of the Cincinnati platform in this respect.

Tell me, was not that a just and reasonable demand, that it should be explained and put upon record beyond doubt or cavil? Such is the uniform practice in all declarations of principles in religion or politics. That was all that was required touching this question of territorial power over the individual property rights of the settlers in a Territory before it becomes a State; and how can any fair-minded man say that it ought to be kept open to a double construction North and South? As honest men, we could not preach two opposite doctrines from the same text in the same church, and, therefore, the Democratic party, when reconstructing its platform to place a candidate upon it, were bound to declare just what they meant by "popular sovereignty" as applied to the Territories.

This they refused to do at Charleston. This they refused to do at Baltimore, unless, indeed, they have done it by their vague resolution, susceptible of many constructions, adopted after the severance of the Convention, and after the double nominations were made, and at the very close of their session, when it was too late to harmonize. A resolution which, if it have any meaning, seems to utterly renounce the very squatter sovereignty on which they made the division, and recognizes the Dred Scott decision and all present and *future* restrictions which the Supreme Court have or may put upon territorial power over domestic relations! They have thus, by a sort of indirection, taken away their whole argument upon "popular sovereignty" in the Territories. But before they did that, they not only adhered to their Charleston refusal to explain in the platform what they meant by "squatter sovereignty," but they so reconstructed their Convention by the exclusion of sovereign States and original delegates, that the necessity was put upon the seventeen retiring States which held the assured Democratic electoral votes, to proclaim their national creed in unmistakable terms, having but one meaning both North and South.

This they have done in a separate Convention. They reaffirmed the Cincinnati platform with three explanatory propositions, and to those three propositions let me, somewhat in detail, call your candid attention. They read as follows:

"*First.* That the government of a Territory, organized by Congress, is provisional and temporary, and during its existence all citizens of the United States have an equal right to settle with their property in the Territory without their rights, either of person or property, being destroyed or impaired by congressional or territorial legislation.

"*Second.* That it is the duty of the Federal Government, in all its departments, to protect, when necessary, the rights of persons and property in the Territories, and wherever else its constitutional authority extends.

"*Third.* That when the settlers in a Territory having an adequate population, form a State constitution, the right of sovereignty commences, and being consummated by admission into the Union, they stand on an equal footing with the people of other States, and the State thus organized ought to be admitted into the Union whether its constitution prohibits or recognizes the institution of slavery."

These are all the propositions touching the interpretation of the Cincinnati platform. Take them in their most comprehensive sense, and what do they affirm?

FIRST, that all citizens have an equal right to settle with their property in the common territory, free from all risk that their rights of person or property, when they get there, shall be destroyed or impaired by either congressional or territorial legislation. Who will gainsay this? It is only our doctrine of NON-INTERVENTION against the rights of property extended to the territorial legislature as well as to Congress. Who will say that the property rights of citizens settling there from other States may be interfered with and destroyed by a territorial legislature? To affirm this territorial power is to declare that a territorial legislature may rob citizens of their property without compensation. Now, shall not the citizens who go with their property to settle in the territories be protected from the robbery of a territorial legislature? To that question this proposition says yes. Who says nay?

The SECOND PROPOSITION affirms the duty of the General Government, in all its Departments, to protect, when necessary, the rights of persons and property wherever its constitutional authority extends.

And is not that an universal principle of good government? Who says that the Federal Government shall not protect persons and property wherever it has authority to do so under the Constitution? Does it affirm anything more than that it is the duty of Government to exercise its constitutional functions in the protection of persons and property? And if the power which the Government is called upon to exercise be only, as in this case, CONSTITUTIONAL POWER, who can deny the right and justice of its exercise? It calls for no slave code, no special legislation of Congress, no tariff of protection for slave labor. It makes no discrimination whatever in favor of slavery. If slave labor in the Territories be property, then it is to be protected like all other property—no more, no less. And what Democrat denies that slave labor is property under the Constitution, and by force of all the decisions of the Supreme Court touching that property?

The Republicans deny it; and therein lies the first fundamental difference between the higher law of the Republicans and the constitutional law of the Democracy; and how can a Democrat refuse to affirm that distinctive principle which divides the country upon this issue?

The THIRD PROPOSITION is the same in substance as the resolution I have quoted from the Cincinnati platform. It makes popular sovereignty begin with the act of making a constitution. It sets up popular sovereignty against a vague, imaginary power in a territorial legislature to destroy property without compensation; and it affirms the only rule of self-government which, under our constitutions and laws, can apply to communities or States.

And tell me, now, if you can, where does "popular sovereignty" exist under our American institutions but in the people of the States? Where is there such a monstrous political creation to be found as a territorial legislature with an imaginary inherent power, outside of the institutions of the States, outside of the organizations of the Federal Government, and subsisting upon itself? A higher law in a territorial legislature to confiscate property than exists in Congress or in all the departments of the General Government?

The very statement of this extraordinary assumption of power proves that it cannot exist; and is it unreasonable to demand that such a power to destroy and confiscate property of all the citizens of all the States, when settling in the common territory, shall be explicitly disclaimed by the Democratic party in its platform?

Is it any better, nay is it as just as the Republican doctrine of absolute prohibition by Congress? Of what avail is the doctrine of congressional non-intervention, if it is followed by territorial prohibition? Better a congressional law that prevents the slave-owner going into a Territory to settle with his property, than a territorial law that robs him of his property as soon as he has incurred the risk and expense of removing there.

What, then, is the practical difference between the two doctrines? The Republicans insist upon congressional prohibition. The "squatter-sovereignty" sets up territorial prohibition. One puts the Wilmot proviso in Congress, and the other puts it in the territorial legislature. There is the whole of the argument.

Now let Democrats of the North be honest and square with the South on this point, The North, by spinning cotton, has immensely enhanced the value of slave labor to the South. They want to know what their rights with that labor are to be if they go with it into the Territories adapted to it. We cannot deny equal rights to all citizens to settle with their property in the common territory. We must repudiate principle, and repudiate the decisions of the Supreme Court, to deny it. Neither can we deny that slave labor is property, and if property it must have equal rights to protection with all property. And what, then, will you do with it in the Territories before they assume State sovereignty? You must either give it protection like all other property, or you must assume the power to destroy it. Having driven the Wilmot proviso out of Congress, shall we set it up against the South in the Territories?

The Democratic doctrine which all have agreed to is "non-intervention." That is a fundamental principle in the Democratic creed which is to be maintained as firmly now as before the Dred Scott decision. Nay, the Court affirms, and does not deny that principle, "NON-INTERFERENCE WITH SLAVERY BY CONGRESS IN STATE OR TERRITORY AND IN THE DISTRICT OF COLUMBIA." That is our creed. Shall we turn it round, and put intervention in the hands of a reckless territorial legislature? No. If we are consistent we must extend non-intervention from Congress to the territorial legislature. Neither shall destroy or impair the rights of property. And here, fellow-citizens, the national Democracy hold two distinct positions for the conservative element of the country to repose on:

First. Opposition to the Wilmot proviso in Congress, and like opposition to it in a territorial legislature.

Second. Non-intervention by Congress and *non-intervention* by a Territory until it begins to form a constitution.

Any other doctrine carries with it anti-slavery into the territorial legislature as a substitute for anti-slavery in Congress. The negro is in it, and that I apprehend is the whole source of its vague popularity in the North, and of the tenacity with which it has been adhered to in the recent Convention; and the Northern people will be amazed when they find that the Convention has by a sort of disclaimer abandoned this very doctrine, or at least left it to a double and doubtful construction North and South.

True, it is a very little negro which a portion of the Northern Democracy propose to use in the elections, by means of the territorial Wilmot proviso; and they assure us it is not the full-grown abolition negro of the "irrepressible conflict" which they mean to adopt. And therefore, they tell the Democracy that it will really do no harm to take this little negro in their arms and nurse him, and present him to the people in those districts where he may help get enough abolition votes to bring about a plurality and affect some district and State elections.

But will this be fair to the Democracy or fair even to the Republicans? for if it is right to exclude slavery by territorial prohibition it must be right to do it by congressional prohibition; and the Supreme Court has decided that both are equally violative of the Constitution. And hence if there is right in this doctrine of barring out the South from the Territories, the Republicans are surely the most right in claiming sovereignty in Congress to be exercised to entire and utter exclusion. Therefore I say let them have the large negro of congressional prohibition and the little negro of territorial prohibition, and the whole negro in this contest; and let Democrats and conservative Union men uphold the equal rights and the constitutional government of white men who made it. We will not have the negro as an element of political power in Congress or in Territory, and that is the only clean national platform the Democracy can stand upon, and proclaim, as it hitherto has done, the same universality of doctrine for all sections of the land—East, West, North, and South—viz: the equality of rights of all property in the Territories to all the citizens of all the States settling there!

And how is that equality to be preserved, when, by this process of colonizing and abolitionizing Territories, you put it in the power of a single State to send out its trained emigrants to every Territory as fast as it is organized, and by seizing on the elections of the legislature and securing two-thirds of the members, exclude from every Territory the citizens of fifteen States?

It is this element of forced abolition colonization which has changed the entire aspect of the question as to a Territory regulating or restricting the institution of slavery before it becomes a State.

When this question was first agitated the North and South both agreed to non-intervention, either to establish slavery or to prohibit slavery in the Territories. That was Democratic "non-intervention" then, and it is Democratic "non-intervention" now. And as to protection of property in the Territories, all agreed that the Court should decide, and in the mean time the people were to form and regulate their domestic institutions in their own way, SUBJECT ONLY TO THE CONSTITUTION OF THE UNITED STATES. And there all were willing to leave the settlement of the Territories in good faith to the adaptation of soil and climate, to demand and supply, and to the natural laws of emigration and the great law of self-interest. But, instead of this, there arose this forced and hired political emigration of armed bands of abolitionists to sieze upon territorial legislatures and fasten their doctrines upon them; and out of this came conflict and civil war and the threatened dismemberment of the Union. And moreover the Supreme Court has decided that a territorial legislature has no power to prohibit slavery until it becomes a State. And now, to save the country from these terrible sectional conflicts, there is no safe remedy, no fair play in the settlement of new Territories, no law of the land, but NON-INTERVENTION BY THE TERRITORY, AND THE EQUAL PROTECTION OF ALL THE RIGHTS OF PROPERTY OF ALL THE CITIZENS SETTLING THEREIN, UNTIL THE SOVEREIGNTY OF THE PROPLE BEGINS IN THE ACT OF FORMING A CONSTITUTION FOR THE STATE.

This is our "popular sovereignty"—the sovereignty of all the people against the squatter sovereignty of Aid Emigration Abolition Societies—and who can say it is not right and just and constitutional, and peaceful and conservative in all its elements?

It is this protection of law against violence in the settlement of Territories which the peace and the Union of the country demand, and by which we mean to abide in our nationality. It is the great democratic principle of justice to all, upon which, since the foundation of the Government, territory has been acquired, and new States admitted into the Union with or without slavery, as they chose, until this great empire of States has been expanded to the measure of its present and prospective greatness.

If democrats will agree to bear aloft that national banner we shall have no disunion, South or North, for there will be no injustice to either section to impel to disunion. And though the clouds of division now seem to be gathering over us, and our opponents begin to exult that in this division they will find success, yet these clouds must pass away, for the Providence that has guided our fathers will not utterly leave the councils of the people; and the Northern and Southern Democracy, BEFORE defeat, if they are wise, or after it, if they must needs be taught by that stern lesson, will, as in days past, when for sixty years they shaped the destinies and guided the Government of these United States, again unite and achieve new political victories, acquire new Territories and establish new States in this glorious Union, until this whole continent of North America shall be ours.

MINORITY REPORT.

MR. STEVENS, of Oregon: I rise, Mr. President, to present the report of a minority of the Committee on Credentials, and I will proceed to read it:

To the President of the Democratic National Convention:

SIR: We, the undersigned, members of the Committee on Credentials, feel constrained to dissent from many of the views and a large portion of the action of the majority of the committee in respect to the rights of delegates to seats referred to them by the Convention, and to respectfully recommend the adoption of the following resolutions:

1. *Resolved*, That B. F. Hallett is entitled to a seat in this Convention, as a delegate from the 5th congressional district of the State of Massachusetts.

2. *Resolved*, That Johnson B. Gardee is entitled to a seat in this Convention, as a delegate from the 8th congressional district of the State of Missouri.

3. *Resolved*, That James A. Bayard and William G. Whiteley are entitled to seats in this Convention, as delegates from the State of Delaware.

4. *Resolved*, That the delegation headed by R. W. Johnson are entitled to seats in this Convention, as delegates from the State of Arkansas.

5. *Resolved*, That the delegation of which Guy M. Bryan is chairman are entitled to seats in this Convention from the State of Texas.

6. *Resolved*, That the delegation of which John Tarleton is chairman are entitled to seats in this Convention, as delegates from the State of Louisiana.

7. *Resolved*, That the delegation of which L. P. Walker is chairman are entitled to seats in this Convention, as delegates from the State of Alabama.

8. *Resolved*, That the delegation of which Henry L. Benning is chairman are entitled to seats in this Convention, as delegates from the State of Georgia.

9. *Resolved*, That the delegation from the State of Florida accredited to the Charleston Convention are invited to take seats in this Convention and cast the vote of the State of Florida.

The principles involved in these resolutions, and the facts on which they rest, are of such gravity and moment that we deem it due to the Convention and to ourselves to set them forth with care and particularity. We differ radically from the majority of the committee, both in much of the action we recommended to the Convention and the princi ples which should control such action. It is a question not simply of the integrity, but the existence, of the Democratic party in several States of this Union. It is a question whether the Democratic party in said States shall be ostracised and branded as unworthy ofaffiliation with the national organization.

It is a question whether persons irregularly called, or withdrawing from the regular Convention, shall have the sanction of the National Convention to raise the flag of rebellion against their respective State organizations. It is a question whether the Convention itself shall repudiate its own deliberate action at Charleston. We do not magnify the importance of these questions when we assert that upon their proper solution depends the fact as to whether there shall be a National Democratic party or not. The task will not be difficult to show that the action recommended by the majority of the committee is grossly inconsistent, and should be reprobated and condemned by this Convention. But to the task, without further preamble.

Reserving to the closing portion of this report the cases of contested seats in the Massachusetts and Missouri delegations, we come at once to the cases of the delegates who withdrew from the Charleston Convention. This Convention, on the eve of its adjournment at Charleston, and in the great cause of the restoration of harmony to our distracted party, "respectfully recommended to the Democratic party of the several States to make provisions for supplying all vacancies in their respective delegations to this Convention when it shall reassemble." We call particular attention to the wording of the resolution. Certain delegates had withdrawn. They had placed on the Convention the reasons of their withdrawal.

They still, however, were the representatives of the Democratic party of their several States. Their withdrawal was not a resignation. It was not so considered by the Convention. The vacancies referred to had reference to the contingency of vacancies *at the time of reassembling*, and the resolution proposed to provide for supplying them. The Convention did not presume to touch the question as to whether the withdrawal of the delegates constituted a resignation, nor had it any right to interfere in the matter. A resignation must be made to the appointing power, and, to be complete and final, must be accepted by the appointing power. It was well known on the adjournment of the Convention at Charleston that the withdrawing delegates desired the instruction of their several constituencies before deciding on their future course.

Such was the spirit and purpose of their deliberations at Charleston. They consulted their respective constituencies. In every case, except the case of South Carolina, their constituencies directed or authorized them—the vacancies being filled as contemplated in the resolution of the Convention—to repair to Baltimore, and there in earnest efforts with their brethren of the Convention, to endeavor once more to unite their party, and promote harmony and peace in the great cause of their country. The resolution of the Convention did not prejudice the question, since so strenuously raised, that their withdrawal was a resignation, but left the whole question to the said delegates and their respective constituencies, to the end that every State of this Union might be represented in Baltimore.

The committee has passed resolutions declaring, by a vote of 16 to 9, that the delegation from Louisiana, headed by Pierre Soule—by a vote of 14 to 11, that the delegetion from Alabama, headed by L. E. Parsons—and by a vote of 13 to 10, that half of each delegation claiming seats from Georgia, are entitled to seats in the Convention. The resolutions recommended by the undersigned to the Convention declare the right of the delegations elected to Charleston, with vacancies supplied as contemplated in the resolution of the Convention, to which reference has been made, and accredited to Baltimore to said seats. The committee which thus recommend the irregular delegates from these three States have rejected the irregular delegates from Delaware and admitted the Charleston delegates.

It has admitted irregular delegates from Arkansas, and rejected a portion of the Charleston delegates, as modified by the filling of vacancies. It has admitted the (Charleston) delegates from Mississippi by a vote of 23 to 2, and the (Charleston) delegates from Texas by a vote of 19 to 6. The fact that delegations are not contested does not establish the right to seats in the Convention. There may be irregular delegates without contest, and there may be a contest between two sets of irregular delegates. The right of persons to seats as delegates is to be determined by the fact as to whether they were appointed by the constituency which they claim to represent, and appointed according to the usages of said constituency. Wanting these essential prerequisites, they are not entitled to seats, even if there be no contestants; and having these, their right to seats is not impaired or affected by contestants.

The committee in deciding, by a vote of 23 to 2, that the Charleston delegates from Mississippi are entitled to seats in the Baltimore Convention, have decided rightly, just, because they were duly accredited to Charleston, have never since resigned, and have received instructions from the State of Mississippi, through a Convention called of the Democratic Executive Committee of the State, to return to Baltimore. The Charleston delegates, both from Alabama and Georgia, stand in precisely the same position. They were, also, duly accredited to Charleston. They withdrew and never resigned. They returned to their respective constituencies. The Executive Committees in these States, as in the case of Mississippi, called a convention of the party. The conventions met. The delegates, as in the case of Mississippi, submitted their action to the conventions, and these conventions approved their course, continued their powers, and accredited them to Baltimore. Their rights stand on precisely the same basis, and are sustained by the same authority as in Mississippi. The contestants were appointed by no body authorized to meet according to the usages of the party in these States, and are not entitled to any consideration whatever.

In the case of Alabama, the convention assembled on the call of the Democratic Executive Committee, (addressed to the *Democracy* of the State,) was very largely attended, nearly every county in the State having been represented. A small number of persons, however, issued a notice, which was published in only three newspapers in the State; in two papers the notice was without signers, and in third paper (*Mobile Register*) it was signed by John Forsyth and thirty-five others. The notice in one paper called upon all Democrats *and all other persons*—in the second paper, upon Democrats and *all conservatives*—and in the third paper, (*Mobile Register*,) upon *the people of Alabama*, to hold county meetings and send delegates to a State Convention, to be held in Montgomery or Selma the 4th day of June, to appoint delegates to Baltimore. Twenty-eight counties only, out of fifty-two, were represented.

It was the coming together of persons from all parties outside of the regular organization to strike down the Democracy of the State. It was a call without any official authority whatsoever. We thus find the Democracy of the State assembling in convention according to the usages of the party, and we find, at the same time, persons assembling at the call of unauthorized individuals. In the former case, the whole State was represented. In the latter, about half of the State. Yet the majority of the committee have endorsed the action of the latter as the action of the Democracy of Alabama, and have repudiated, contrary to all precedent, usage, right, and justice, the action of the former; not only this, they have repudiated the principles of their own action in the case of the Mississippi delegation.

But the action of the majority of the committee in the case of Georgia has gone one step further in its disregard of the acknowledged principles of the party. The convention which the committee put on an equality with the regularly authorized convention consisted in

great part of persons who just participated in the regular Democratic Convention of the State. The regular called convention consisted of nearly four hundred delegates, representing nearly all the counties of the State. The resolutions of the convention having been adopted by a vote of 299 to 41, these latter withdrew from the convention and organized anew. Thus the majority of your committee have exalted the pretensions of less than one-eighth of the delegates of the State Convention to an equality with the rights of seven-eighths of the Democracy of the State.

In the case of Louisiana, the old convention, which originally appointed the delegates to Charleston, was reassembled on the call of the Executive Committee of the State, and by a decisive majority accredited the Charleston delegates to Baltimore. The reasons for this action have their parallels in the cases of Texas and Delaware, which have received the sanction of the committee. In Texas the delegates came back accredited by the Democratic Executive Committee, simply—it being a manifest impossibility, from want of time, to assemble the party in a State Convention; and in Delaware, under the usages and rules of the party, the old convention was reassembled. In Louisiana there was time to assemble the old convention, but not to order an election of delegates in the several parishes to meet a new convention. The Executive Committee did everything it could to get the expression of the views of the State. It reassembled the old convention, nearly every parish in the State being represented, and accredited the Charleston delegates to Baltimore.

But the Convention, whose delegates to Baltimore have been endorsed by the majority of your committee, was called at the instance of two local organizations, and of Dr. Cottman, a former member of the National Executive Committee of the party. The calls were somewhat conflicting. The notice did not reach many parishes in the State. Only twenty-one parishes out of thirty-nine are pretended to be represented, and in several of these there is no reason to doubt the fact that the delegates did not leave behind them a single constituent agreeing with them in sentiments. In not a single parish was this call responded to by a majority of the Democratic voters. The Convention only represented a very small portion of the party—it was totally irregular, besides.

The majority of the committee object to the action of the old Convention on its re-assembling at the call of the Executive Committee, on the ground that it was defunct and could not be brought to life. Yet it endorses the action of the other Convention on the call in part of the equally-defunct member of the National Committee, Dr. Cottman. The following the usage of Delaware, by the Executive Committee of Louisiana, though manifestly a necessity for the reasons stated, has no weight as a precedent with this majority. Conceding their ground of its being irregular, seats as delegates should be given to the body called by the regular authority, and not to the body assembled by no responsible authority whatever, and especially when the former represented the great body of the party, and the latter did not. All these considerations, however, have been disregarded by the majority of the committee, who have persisted by a vote of sixteen to nine to award the seats as delegates to the representatives of the disorganizing minority Convention.

In the case of Arkansas, the majority of the committee propose to divide out the seats to all applicants. In this State the Democratic party were about assembling in their district conventions, consisting of delegates from the several counties of the State, for the nomination of members of Congress, when their delegates returned from Charleston. As in Texas, there was not time for the assembling of a State convention. In these district conventions, delegates were selected to represent the party at Baltimore. A call was, however, issued in a Memphis paper, without any signature whatever, calling upon the people of the northern district to assemble in mass meeting at Madison to elect delegates to Baltimore.

Some four or five hundred men, from ten to twelve counties, thus assembled and appointed three delegates to Baltimore. The majority of the committee propose to allow these men to vote in the Convention. There are twenty-seven counties and 25,000 voters in the district. Col. Hindman, a delegate elected by the district convention to Baltimore, was elected to Congress in 1858 by 18,000 majority, and was unanimously re-nominated by the convention which selected him as a delegate to Baltimore. These facts show the insignificance of the action of the district conventions in electing delegates to Baltimore as representing truly the sentiment of a Democratic party of the district, and they exhibit the utter insignificance of the annonymously called convention; for it will be borne in mind that it was held at the central point, at the western terminus of the railroad from Memphis, and where several stage and wagon routes meet. They were elected as delegates generally from the State to the National convention with the hope that they might get in without any definite claim.

In Massachusetts and Missouri the contests are between principals now holding their seats and substitutes who held their places at Charleston. In each case the principal was detained at home by sickness in his family. In each case the principal gave notice to his substitute that he should take his seat at Baltimore. The majority of the committee hold that the principals, elected as such by the proper conventions, are not entitled to their

seats, and have reported accordingly. We hold that a substitute is appointed simply to act in the absence of the principal, and that his authority ceases whenever the principal makes his appearance and takes his seat. We emphatically declare that such has been the invariable usage in all conventions of the party, whether National or State, and that it is based on reason and the representative principle.

All of which is respectfully submitted.

ISAAC I. STEVENS, *Oregon*,
A. R. SPEER, *New Jersey*,
H. M. NORTH, *Pennsylvania*,
JOHN H. BEWLEY, *Delaware*,
E. W. HUBBARD, *Virginia*,
R. R. BRIDGERS, *North Carolina*,
WILLIAM H. CARROLL, *Tennessee*,
GEORGE H. MORROW, *Kentucky*,
D. S. GREGORY, *California*.

In the points of difference between the majority and minority reports of the committee on Credentials, I concur in the conclusions of the minority report in the cases of Georgia, Alabama, Missouri, and Massachusetts.

AARON V. HUGHES, *New Hampshire*.

Portions of the report were received with warm applause.

Mr. STEVENS. This report is signed by the delegates from Oregon, from New Jersey, from Pennsylvania, from Delaware, from New York, from North Carolina, from Tennessee, from Kentucky, and from California, and I am requested by the delegate from Tennessee to state that he dissents from a portion of the conclusions of the committee, but votes under the instructions of his delegation. I am also requested by the delegate from New Hampshire to say, that, in the points of difference between the majority and minority reports, he agrees with the conclusions of the minority in the cases of Georgia and Alabama.

Mr. President, before I take my seat, I will move that the series of resolutions which I introduced be substituted for the resolutions reported by the gentleman from Missouri.

During the reading of one portion of his remarks, the gentlemen called the attention of the Convention to the fact, that the majority agreed with the minority in relation to the States of Mississippi and Florida; but it would be found that, in reference to other States, they disagreed very materially.

Before taking his seat, the gentleman announced that he was instructed to say, that the delegates from Tennessee and New Hampshire differed somewhat with the minority in some clauses of their report, but was instructed to vote with the minority. He would, therefore, move that the series of resolutions which he had offered might be considered a substitute for the resolutions contained in the report of the minority.

Gov. STEVENS. I do not desire to make a speech to this Convention. I am content for the most part to rest here the views and the report of the minority of the Committee on Credentials, which they have presented to the Convention. That report rests immovably on the unanimous action of that entire committee as regards Delaware, Texas, and Mississippi. Those three cases involve every and all the principles which the minority of the committee have adopted. My friend from Pennsylvania has well put the case of those three States. I need add nothing further, and I now move the previous question. [Applause.]

HON. CALEB CUSHING, *President of the Convention:*

The undersigned begs leave to state to the Convention through you, that the majority of this Convention while composed of only twenty-two States fully represented, and three others partially represented, leaving seven States without a voice in the Convention, has voted to reject the regular Democratic delegations from the sovereign States of Alabama and Louisiana, to admit to seats in this Convention as members thereof pretended delegates from Arkansas, who were never chosen nor accredited to this Convention by the Democracy of that State, and to reject one of the regular delegates from the Fifth Congressional District in Massachusetts, and the Eighth Congressional District in Missouri; thus disregarding all the established usages of the Democratic party, violating every principle of justice and fairness, and destroying the equality of the States in their right to select their own delegates to represent them in their National Conventions.

Since the Convention has by this extraordinary proceeding, suppressed the votes of the Democracy of a large portion of the most reliable and certain Democratic States, in view of what they regarded as an intolerable wrong, twelve other States have either withdrawn or refused to longer participate in the proceedings of the Convention.

While the undersigned deplores the necessity which impels him to the step he is about to take, he cannot refrain from saying that it is useless to attempt to disguise the fact that this body can no longer be considered a National Convention of the Democratic party. Nearly two-thirds of the thirty-three States of the Union are now unrepresented by the regular authorized delegates of those States.

The undersigned attended this convention with a determination to abide the choice of the National Democracy, when made according to the established rules of our National Conventions, and in this determination he believes he represents the Democracy of his State. But since this Convention has ceased to maintain its national character, the undersigned cannot resist the conviction that it is no longer the Convention to which he was accredited as a delegate. In view of the foregoing facts, as a member of the Kentucky delegation, the undersigned feels constrained to decline a further participation in the proceedings of this so-called Democratic National Convention, intending by that movement to do nothing more than to protest against committing either himself or his constituents for or against its unprecedented, unjust, and wrongful proceedings.

June 23, 1860. JAMES G. LEACH.

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